

*Response Under 37 CFR § 1.116 \* — Expedited Procedure — Examining Group 3739*  
*Serial Number: 10/046,573*  
*Docket No.: 1242,002A*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

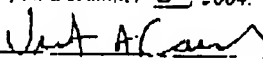
**Applicant:** Gallo  
**Confirmation No.:** 4971  
**Serial No.:** 10/046,573  
**Group Art Unit:** 3739  
**Filed:** 01/14/2002  
**Examiner:** Rosiland Stacie Kearney  
**Title:** ELECTROSURGICAL COAGULATING AND CUTTING INSTRUMENT

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*I hereby certify that this correspondence is being transmitted by facsimile to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, Attn, Examiner Rosiland Stacie Kearney, Group Art Unit 3739, at facsimile no. 1-703-872-9306, on December 8, 2004.*



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**RESPONSE TO FINAL OFFICE ACTION**

Dear Sir:

This paper is filed in response to the Final Office Action mailed on September 21, 2004, in connection with the above-identified U.S. patent application. The three-month period for response expires on December 21, 2004. Accordingly, this response is timely filed.

Remarks begin on page 2 of this paper.